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## FEDERAL FIRE PREVENTION AND CONTROL ACT AUTHORIZATION

MAY 15, 1991.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BROWN, from the Committee on Science, Space, and Technology, submitted the following

### REPORT

[To accompany H.R. 2042]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science, Space, and Technology, to whom was referred the bill (H.R. 2042) to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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## I. SUMMARY OF COMMITTEE ACTIONS

### BUDGET ACTIONS

H.R. 2042, as reported by the Committee authorizes appropriations for the U.S. Fire Administration (USFA) as follows: \$25,550,000 in Fiscal Year 1992; \$26,521,000 in Fiscal Year 1993; and \$27,529,000 in Fiscal Year 1994. The authorization levels represent the Administration's request for Fiscal Year 1992, which is an increase of 11 percent above the Fiscal Year 1991 appropriation. The authorization levels for Fiscal Year 1993 and Fiscal Year 1994 reflect inflationary increases based on the Congressional Budget Office's base line projections of the overall GNP inflator, which is an increase of 3.8% for Fiscal Year 1993 and Fiscal Year 1994, for the programs at the Federal Emergency Management Agency (including the USFA).

### OTHER ACTIONS

The bill directs the USFA to give priority to reducing residential fires. The bill requires the USFA to submit a report to the Congress one year after enactment on the activities taken to give priority to reducing residential fires. In addition, the bill directs the USFA to give priority to six other activities: working with state level fire safety offices to identify fire problems that are national in scope; disseminating information about the activities of the USFA to state and local fire services; enhancing research into the establishment of sprinkler programs in areas or structures with limited or no domestic water supply; enhancing the residential sprinkler program; enhancing fire fighter training programs at the National Fire Academy, particularly those that support the volunteer fire services; and strengthening programs that help protect the lives and safety of fire and emergency medical services personnel.

Finally, the bill requires the USFA to report to the Congress by October 15, 1991 on its progress in implementing P.L. 101-391, the Hotel and Motel Fire Safety Act of 1990, and to provide estimates of the costs and schedule for implementation.

### PURPOSE OF H.R. 2042

The purpose of H.R. 2042, is to authorize appropriations for the activities of the USFA under the Federal Fire Prevention and Control Act of 1974. The bill authorizes funds for the USFA for Fiscal Years 1992, 1993, and 1994 and establishes program priorities.

## II. SUBCOMMITTEE ACTIONS

On March 21, 1991, the Subcommittee on Science held a hearing on the reauthorization of the Federal Fire Prevention and Control Act of 1974. Witnesses included Olin Greene, Administrator, U.S. Fire Administration; Ray Alfred, Fire Chief, District of Columbia Fire Department, Washington, DC; and William Blevins, Captain, Chilhowie Volunteer Fire Department, Chilhowie, Virginia. The witnesses expressed full support for the Administration's Fiscal Year 1992 budget request for the U.S. Fire Administration.

On April 17, 1991, the Subcommittee met to mark up a Subcommittee Print of the proposed bill. Based on recommendations received at the hearing, the Subcommittee Print incorporated concerns and priorities expressed at the March 21, 1991 hearing by both the Administration and non-federal witnesses, and by other interested fire service groups.

Mr. Packard (R-CA) offered an amendment to require the U.S. Fire Administration to enhance research into the establishment of sprinkler programs in areas or structures with limited or no domestic water supply. The amendment was adopted by unanimous voice vote. Also, Mr. Packard offered an amendment on behalf of Mr. Boehlert (R-NY) to require the USFA by October 15, 1991 to prepare a report on its progress on implementing P.L. 101-391, the Hotel and Motel Fire Safety Act of 1990 and to provide estimates on the costs and schedule for implementation. The amendment was adopted by unanimous voice vote. A quorum being present, the Subcommittee Print as amended was ordered reported on April 17, 1991 by unanimous voice vote of the Subcommittee on Science.

H.R. 2042, reflecting the recommendations in the Subcommittee Print as amended by the Subcommittee on Science was introduced on April 24, 1991 by Mr. Boucher for himself, Mr. Brown (D-CA), Mr. Walker (R-PA), Mr. Bruce (D-IL), Mr. Kopetski (D-OR), Mr. Valentine (D-NC), Mr. Perkins (D-KY), Mr. Nagle (D-IA), Mr. Browder (D-AL), Mr. Thornton (D-AR), Mrs. Collins (D-MI), Mr. Bacchus (D-FL), Mr. Packard (R-CA), Mr. Boehlert (R-NY), Mr. Schiff (R-NM) and Mr. Gilchrest (R-MD).

### III. FULL COMMITTEE ACTIONS

On May 8, 1991, the Full Committee met to mark up the bill. A quorum being present, the Full Committee ordered reported H.R. 2042 without amendments by unanimous voice vote.

### IV. BACKGROUND AND NEED FOR THE LEGISLATION

#### NATURE OF THE FIRE PROBLEM

Among industrialized nations, the U.S. has one of the highest fire death rates, per capita, in the world. Current fire data reflect the seriousness of the fire problem. Fire is the fourth largest accidental killer in the United States. Over 6,000 deaths occur from fire each year, and an additional 30,000 individuals are injured. The vast majority of fire deaths (80%) occur in single family houses. Certain identifiable groups in the general population and areas of the country face a much higher risk of death from fire than others. Children under the age of five and elderly persons over 65 years of age are disproportionately represented in fire death rates. Blacks and Native Americans have extremely high fire death rates. Residents in large cities and rural areas tend to exhibit much higher death rates than suburban residents. The Committee believes that the USFA should place priority on groups and areas of the country hardest hit by fire. Due to the serious nature of the residential fire problem, the bill directs the USFA to submit a report to the Congress within one year on activities taken to give priority to reducing residential fires.

The bill directs the USFA to give priority to six other activities in addition to the residential fire problem: working with state level fire safety offices to identify fire problems that are national in scope; disseminating information about the activities of the U.S. Fire Administration to state and local fire services; enhancing research into the establishment of sprinkler programs in areas or structures with limited or domestic water supply; enhancing the residential sprinkler program; enhancing fire fighter training programs at the National Fire Academy, particularly those that support the volunteer fire services; and strengthening programs that help protect the lives and safety of fire and emergency medical personnel.

#### NEW RESPONSIBILITIES OF THE USFA

The USFA was given additional responsibilities by two bills signed into law in the 101st Congress. The Hotel and Motel Fire Safety Act (P.L. 101-391) provides that states must compile lists of hotels in their states that have properly installed sprinklers and smoke detectors within two years after enactment. Two years and 60 days after states submit the list of hotels in compliance to the USFA, the USFA is required to compile and publish the list of hotels in the Federal Register and periodically update the list. P.L. 101-391 prohibits federally funded conferences from being held at hotels without sprinklers and smoke detectors and requires that 90 percent of federal travel nights be spent at hotels equipped with sprinklers by the seventh year after enactment. H.R. 2042 requires the U.S. Fire Administration to prepare a report on its progress in implementing P.L. 101-391.

The Firefighters' Safety Study Act (P.L. 101-446) requires the USFA to review existing emergency response information nationwide to evaluate its accuracy and consistency, determine whether information is properly expressed for fighters in an emergency situation and evaluate means of improving information for emergency response situations. The USFA is required to form a working group to submit a report to the USFA and appropriate Congressional committees within one year. The working group is required to meet as needed, but at least once annually after the issuance of the report to review implementation and recommended changes if necessary.

#### SUCCESSFUL USFA PROGRAMS

Largely through the efforts of the USFA, the number of lives lost has been reduced from 12,000 annually in 1972 to about 6,000 annually. A number of successful USFA programs have helped to lessen fire related deaths. In particular: a smoke detector campaign helped to place a smoke detector in 60% of the homes in America; a public education program was viewed by over 9 million preschool children through the "Sesame Street" television program; a residential sprinkler program revolutionized residential sprinkler systems through development of sprinkler head devices which react five times faster than commercial heads and with less water; and firefighter health and safety research projects improved both breathing apparatus and footwear.

The National Fire Academy improved training available to the nation's fire service by providing executive and leadership training, at levels above those available from State fire academies, and specialized training in areas such as arson investigation and emergency handling of hazardous materials. The National Fire Academy also provided a stipend program to help defray the cost of attendance of state and local firefighters at the Academy.

#### V. FISCAL YEAR 1992 BUDGET REQUEST

For the first time in six years, the Administration's budget request would increase funding above previous appropriations. The Administration's fiscal year 1992 budget request for the USFA is \$25.5 million, an 11% increase above the fiscal year appropriation. The reunification of the fire programs and the increased funding will allow the USFA to strengthen its programs. A chart showing the funding history of the U.S. Fire Administration follows:

##### *Federal Fire Prevention and Control Act*

[U.S. Fire Administration, including the National Fire Academy]

| Fiscal year:             | Millions |
|--------------------------|----------|
| 1981 appropriation ..... | \$21.5   |
| 1982 appropriation ..... | 19.8     |
| 1983 appropriation ..... | 13.3     |
| 1984 appropriation ..... | 14.9     |
| 1985 appropriation ..... | 20.5     |
| 1986 appropriation ..... | 17.3     |
| 1987 appropriation ..... | 18.3     |
| 1988 appropriation ..... | 16.4     |
| 1989 appropriation ..... | 16.5     |
| 1990 appropriation ..... | 16.6     |
| 1991 appropriation ..... | 22.9     |
| 1992 appropriation ..... | 25.5     |

#### VI. SECTIONAL ANALYSIS OF H.R. 2042, AS REPORTED

A bill to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974, and for other purposes.

The bill authorizes a three year program at the U.S. Fire Administration for fire prevention and control activities for the general public and the nation's firefighters.

Section 1 authorizes appropriations for the following amounts for the fire prevention and control activities of the U.S. Fire Administration:

|              |              |
|--------------|--------------|
| Fiscal year: |              |
| 1992 .....   | \$25,550,000 |
| 1993 .....   | 26,521,000   |
| 1994 .....   | 27,529,000   |

Section 2 requires the U.S. Fire Administration to support seven priority fire prevention and control activities and to prepare a report on the first priority activity, efforts taken to reduce the incidence of residential fires among groups most vulnerable to fires and in areas of the country with the highest incidence of residential fires.

Section 3 requires the U.S. Fire Administration to prepare a report on its progress in implementing P.L. 101-391, the Hotel and Motel Fire Safety Act of 1990.

## VII. EFFECT OF LEGISLATION ON INFLATION

The anticipated inflationary impact of this legislation has been assessed in accordance with rule XI, clause 2(1)(4) of the Rules of the House of Representatives. No inflationary effect on prices and costs in the national economy are expected.

## VIII. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

In accordance with rule XI, clause 2(1)(3), and under the authority of rule X, clause 2(b)(1) and clause 3(f), the Rules of the House of Representatives, the following statement on oversight activities is made:

Committee oversight of H.R. 2042, the authorization of the Federal Fire Prevention and Control Act for Fiscal Years 1992, 1993, and 1994 has consisted primarily of a hearing held on March 21, 1991 and extensive meetings with members of the Fire Service and the staff of the U.S. Fire Administration. The Committee's oversight findings and recommendations are contained in the body of the report.

## IX. SUMMARY OF GOVERNMENT OPERATIONS COMMITTEE FINDINGS AND RECOMMENDATIONS

No statement of findings and recommendations on oversight activity have been submitted by the Committee on Government Operations for inclusion in the report, pursuant to rule X, clause 2(c)(2), and rule XI, clause 2(1)(3) of the Rules of the House of Representatives.

## X. BUDGET ANALYSIS AND PROJECTION

The bill provides no new budget authority or tax expenditures. Consequently, the provisions of rule XI, clause 2(1)(3) and section 308(a) of the Congressional Budget Act are not applicable.

## XI. COST ESTIMATE OF CONGRESSIONAL BUDGET OFFICE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, May 10, 1991.

Hon. GEORGE E. BROWN, Jr.,  
*Chairman, Committee on Science, Space, and Technology,*  
*U.S. House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for H.R. 2042, a bill to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974. Enactment of H.R. 2042 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT F. HALE  
(For Robert D. Reischauer, Director).

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 2042.
2. Bill title: A bill to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974, and for other purposes.
3. Bill status: As ordered reported by the House Committee on Science, Space, and Technology on May 8, 1991.
4. Bill purpose: This bill authorizes the appropriation of specific sums in fiscal years 1992, 1993, and 1994 to carry out activities under the Federal Fire Prevention and Control Act of 1974. These activities include the administration of the U.S. Fire Administration and the National Fire Academy. H.R. 2042 would require the U.S. Fire Administration to report to the House Committee on Science, Space, and Technology by October 15, 1991 on progress in implementing the Hotel and Motel Fire Safety Act of 1990.
5. Estimated cost to the Federal Government:

[By fiscal year, in millions of dollars]

|                          | 1992 | 1993 | 1994 | 1995 | 1996 |
|--------------------------|------|------|------|------|------|
| Authorization level..... | 25.6 | 26.5 | 27.5 |      |      |
| Estimated outlays.....   | 14.1 | 21.9 | 26.0 | 12.2 | 4.5  |

The costs of this bill fall within budget function 450.

Basis of estimate: This estimate assumes that the full amounts authorized will be appropriated prior to the beginning of each fiscal year. Outlays are based on historical spending patterns of the emergency management planning and assistance activities of the Federal Emergency Management Agency.

The bill's requirement for reporting to the Congress on implementation of the Hotel and Motel Fire Safety Act would not have a significant impact on Fire Administration spending.

6. Pay-as-you-go considerations: The Budget Enforcement Act of 1990 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1995. CBO estimates that enactment of H.R. 2042 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

7. Estimated cost to State and local governments: None.
8. Estimate comparison: None.
9. Previous CBO estimate: None.
10. Estimate prepared by: Peter Fontaine.
11. Estimate approved by: C.G. Nuckols, for James L. Blum, Assistant Director for Budget Analysis.

## XII. ADMINISTRATION POSITION

FEDERAL EMERGENCY MANAGEMENT AGENCY,  
Washington, DC, March 19, 1991.

Hon. THOMAS S. FOLEY,  
*Speaker of the House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Enclosed is draft legislation "To authorize appropriations for fiscal years 1992, 1993 and 1994 for activities under the Federal Fire Prevention and Control Act of 1974, as amended." In accordance with subsection 17(g) of the Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. 2216(g), the bill authorizes appropriations of \$25,550,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993 and 1994.

The Office of Management and Budget advises that there is no objection to the submission of the proposal to Congress and that its enactment would be in accord with the program of the President.

Sincerely,

GEORGE W. WATSON,  
*Acting General Counsel.*

Enclosure.

## ANALYSIS

The Federal Fire Prevention and Control Act of 1974, as amended, 42 U.S.C. 2201 et seq., was reauthorized through fiscal year 1991 pursuant to section 1 of Public Law 100-476. The proposed legislation would authorize appropriations of \$25,550,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993 and 1994 to implement the Federal Fire Prevention and Control Act.

A BILL to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974, as amended

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress Assembled,* That paragraph (1) of subsection 17(g) of the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2216(g)) is amended by—

- (a) deleting "and" at the end of subparagraph (B);
- (b) deleting the period at the end of subparagraph (C) and replacing the period with a semicolon; and
- (c) adding the following new subparagraphs: "(D) \$25,550,000 for fiscal year 1992; (E) such sums as may be necessary for fiscal year 1993; and (F) such sums as may be necessary for fiscal year 1994."

## XIII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 17 OF THE FEDERAL FIRE PREVENTION AND CONTROL ACT OF  
1974

AUTHORIZATION OF APPROPRIATIONS

SEC. 17.(a) \* \* \*

\* \* \* \* \*

(g)(1) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, there are authorized to be appropriated to carry out the purpose of this Act—

(A) \* \* \*

(B) \$17,737,000 for the fiscal year ending September 30, 1990;

**[and]**

(C) \$18,464,000 for the fiscal year ending September 30, 1991**[.]**;

(D) \$25,550,000 for the fiscal year ending September 30, 1992;

(E) \$26,521,000 for the fiscal year ending September 30, 1993;

and

(F) \$27,529,000 for the fiscal year ending September 30, 1994.

\* \* \* \* \*

XIV COMMITTEE RECOMMENDATION

A quorum being present, H.R. 2042 was ordered favorably reported on May 8, 1991, by voice vote of the Committee.

○